



Image RCE / 1635 #

PTO/SB/30 (09-03)

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<b>Request for Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/036,869
	Filing Date	November 29, 2001
	First Named Inventor	A. James Mixson
	Title	CARRIER NUCLEIC ACIDS COMPLEXES CONTAINING NUCLEIC ACIDS ENCODING ANTI-ANGIOGENIC PEPTIDES AND THEIR USE IN GENE THERAPY
	Atty Docket Number	38147-0017

**This is a Request for Continued Examination (RCE) Transmittal under 37 CFR 1.114 of the above-entitled application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
2. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1641
- i. ☒ RCE fee required under 37 CFR 1.114 02/12/2004 SSESHE1 00000102 081641 10036869
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 DA
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Paul M. Booth	Registration No. (Attorney/Agent)	40,244
Signature		Date	February 11, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature		Date	

This collection of information is required by 37 C.F.R. 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions by reducing this burden, should be sent to the Chief Information Officer,

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re patent application of:  
A. James Mixson

Confirmation No.: 9568

Serial No.: 10/036,869

Art Unit: 1635

Filed: November 29, 2001

Examiner: R. Schnizer

For: CARRIER NUCLEIC ACIDS COMPLEXES CONTAINING NUCLEIC ACIDS  
ENCODING ANTI-ANGIOGENIC PEPTIDES AND THEIR USE IN GENE THERAPY

**Amendment and Response under 37 C.F.R. § 1.114**

Commissioner of Patents  
Washington, DC 20231

Sir:

This is a response to the Final Office Action mailed February 11, 2002 (Paper No. 8), for the above-captioned application. A Notice of Appeal was filed on August 11, 2003. The Commissioner is authorized to charge a petition for a four-month extension of time, along with the appropriate fees, to Deposit Account No. 08-1641. The Commissioner is also authorized to credit any overpayment or charge any deficiency to Deposit Account No. 08-1641.